

SITE: Florida Phosphate  
BREAK: 10.1  
OTHER: V.1

Mike Stephenson  
06/09/2003 03:22 PM

To: Yolaanda Walker/DC/USEPA/US@EPA  
cc: Brad Jackson/R4/USEPA/US@EPA, Bruce Kulpan/DC/USEPA/US@EPA,  
Helena Healy/DC/USEPA/US@EPA  
Subject: Re: Proposed Site Management Strategy for Florida Phosphate Mining Sites

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Yolaanda,

First, I have to apologize. I thought this was a briefing for Mike Cook; obviously it wasn't. The briefing went okay after you left. Thanks for attending. I agree that we want to get the PRPs on board as early as possible. At this stage, we are in the screening process to determine if there is a problem, and if so, how big. We are trying to gain HQ support and State support before moving forward with the screening stage. Once we have settled on an approach, if we approach it at all, and HQ and the State are comfortable, then our plan is to approach the phosphate industry and start working on enforcement options. Certainly, any assistance OECA can provide will be most appreciated. I think I made it clear to you that, at least Brad and I, see some unique or alternate enforcement approach being best suited to the unique nature of the phosphate issues.

Just to give you a heads up as to what transpired after you left (and I think you got a flavor of it while you were there) was that Stewart Walker, John Cunningham, and Robin Anderson (in particular) seemed to want to devise the technical approach (i.e. what are we responding to protect - homes, soil, groundwater) based on the enforcement outcome (i.e. State agreement, EPA agreement, fund-lead, prp-lead). I thought, as you did I believe, that this was a little backwards. We should identify the problem based on the technical data and take enforcement action to implement an appropriate technical response. While it may be beneficial to hypothesize about how different enforcement outcomes may affect the solution, it shouldn't drive the decision.

Anyhow, HQ didn't give the okay to move forward on the radiation screening. John C. was going to take the issue to Mike Cook and recommend going along with the Region's proposal, but John opined that Mike would want another briefing. I wasn't at the last briefing, but evidently Mike told Brad, the RPM, that we needed to "collect the data" and that's what we're proposing to do. I think the OERR folks are extremely concerned about the potential scope of what we might find and would prefer that we don't look at all.

Everyone from OERR seemed resistant to relying on EPA's 1979 radiation study of homes in the area of the phosphate sites, which focused only on protection of people in their homes and determined that a concrete slab provided adequate shielding from the gamma radiation to meet the 20  $\mu$ r/hr ARAR from UMTRCA for indoor exposure. OERR was fairly resolute that the soils in yards also needed to be included using another ARAR from UMTRCA of 5 pci/g for soils which, from my understanding, would require nearly everything to be remediated. We don't really know how large the problem may be until we collect the data, but if it's near what we expect, the difference between looking at in home exposure only and in home exposure and yards could be astronomical.

The issue for presently undeveloped land is somewhat more relaxed. Our current strategy is to look towards institutional controls of some sort (deed restriction, agreement with industry, MOU w/ State to place restriction in reclamation plans). Depending on the cleanup issue I mentioned above, this could have some large impacts. If we address the yards and homes, then the potential exists that no reclaimed land can ever be commercial or residential without some remediation. If we're talking about protection in homes only, something as simple as "all homes must be built on slabs" might be sufficient.

Thanks again for attending. If you have any questions, please give me a call.

Mike  
Yolaanda Walker

 Yolaanda Walker

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06/09/2003 02:39 PM

Subject: Re: Proposed Site Management Strategy for Florida Phosphate Mining Sites

Hey Mike and Brad,

Just checking in to see how the briefing went on Thursday for OERR. Mike, you and I should talk about the Region's enforcement strategy for this initiative. This office encourages the region to bring PRPs on board as early as possible to do any of the work that is required. In addition, I believe it was mentioned during the briefing that Florida doesn't want to list these sites at all...correct? Has the region thought about an alternative enforcement and settlement approach for these sites since it seems that these sites will require long-term response and are eligible to be placed on the National Priorities List ("NPL"). This approach is discussed



in the attached Superfund Alternative Sites Guidance ("SAS"). SASguidance.wpd (Note: This guidance is currently being revised). Please let me know the next steps.

Yolaanda

**P.S. - Brad, please send me an electronic copy of the background material you said you would send to me. Thanks.**

Yolaanda Walker  
Environmental Engineer  
US Environmental Protection Agency  
Office of Site Remediation Enforcement  
Regional Support Division  
Ph: 202-564-4281  
Fax: 202-501-0269  
Email: walker.yolaanda@epa.gov